



FILED JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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MDL 05-1673

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE CIRCULAR THERMOSTAT ANTITRUST LITIGATION

Vincent Fagan, et al. v. Honeywell International, Inc., D. Massachusetts, C.A. No. 1:05-10119

John McKinnon v. Honeywell International, Inc., D. Maine, C.A. No. 2:05-22

R. Sadler Bailey v. Honeywell International, Inc., W.D. Tennessee, C.A. No. 2:05-2063

Alfred T. Wright v. Honeywell International, Inc., D. Vermont, C.A. No. 1:05-1

CONDITIONAL TRANSFER ORDER (CTO-1)

On May 3, 2005, the Panel transferred one civil action to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. With the consent of that court, all such actions have been assigned to the Honorable William H. Alsup.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Northern District of California and assigned to Judge Alsup.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the order of May 3, 2005, __F.Supp. 2d.__ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable William H. Alsup.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

